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THE LAW OF THE NON-NAVIGATIONAL USES OF INTERNATIONAL WATERCOURSES

Draft articles on The Law of Non-Navigational Uses of International Watercourses: titles and texts of articles 1 to 33 adopted by the Drafting Committee on second reading

Addendum

Draft Resolution adopted by the Drafting Committee

The International Law Commission,

Having completed its consideration of the topic on the Law of the Non-Navigational Uses of International Watercourses,

Having considered in that context groundwater which is related to an international watercourse,

Recognizing that confined groundwater, that is groundwater not related to an international watercourse, is also a natural resource of vital importance for sustaining life, health and the integrity of ecosystems,

Recognizing also the need for continuing efforts to elaborate rules pertaining to confined transboundary groundwater,

1. Expresses its view that the principles contained in its draft articles on the Law of the non-navigational uses of watercourses may be applied to transboundary confined groundwater;

2. Commends States to be guided by the said principles, where appropriate, in regulating transboundary groundwater;

3. Recommends States to consider entering into agreements with the other State or States in which the confined transboundary groundwater is located;

4. Recommends also that, in the event of any dispute involving transboundary confined groundwater, the States concerned should consider resolving such dispute in accordance with the provisions contained in article 33 of the draft articles, or in such other manner as may be agreed upon.